

This Document Prepared by:
Herbert W.A. Thiele, Esq., County Attorney
Leon County Attorney's Office
301 South Monroe Street, Suite 202
Tallahassee, Florida 32301

RECEIVED

MAY 24 2004

CONSERVATION EASEMENT

Growth & Environmental Management
INTAKE OK
10:19

STATE OF FLORIDA:

COUNTY OF LEON:

THIS CONSERVATION EASEMENT is hereby made and entered into on this 21st day of May 2004 by RRR Asset Management, a LLC, whose mailing address is 2878-B Huntington Green Circle Tallahassee, FL 32308, hereinafter referred to as the "Grantor," to LEON COUNTY, FLORIDA, a political subdivision of the State of Florida, whose mailing address is Board of County Commissioners, 301 South Monroe Street, Tallahassee, Florida 32301, hereinafter referred to as the "Grantee."

WITNESSETH:

For and in consideration of the mutual promises and other good and valuable consideration as set forth herein, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant to the Grantee, its successors and assigns, a perpetual Conservation Easement in accordance with Section 704.06, Florida Statutes, over and across the real property more particularly described on Exhibit "A", which is attached hereto and expressly incorporated herein, on the terms and conditions hereinafter set forth:

The following activities are prohibited within this easement, pursuant to Section 704.06, Florida Statutes:

1. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures above or on the ground.
2. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials.
3. Removal or destruction of trees, shrubs, or other vegetation.
4. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such matter as to affect the surface.
5. Surface use except for purposes that permit the land or water area to remain predominately in its natural condition.
6. Activities detrimental to drainage, flood control, water conservation, erosion control, soil

conservation, or fish and wildlife conservation habitat preservation.

7. Acts or uses detrimental to such retention of land or water areas.
8. Acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archeological, or cultural significance.

Notwithstanding the foregoing, the Grantor shall be permitted to perform the activities set forth in the plan attached hereto as Exhibit "B", which also addresses other conditions of this easement.

It is understood that the granting of this easement entitles the Grantee to enter the above described land in a reasonable manner and at reasonable times to assure compliance with the conditions of this easement.

Grantor hereby fully warrants the title to said real property and will defend the same against the lawful claims of all persons whomsoever claimed by, through or under it, that it has good rights and lawful authority to grant this easement and that the same is unencumbered. Where the context of this easement requires, allows or permits, the same shall include the successors or assigns of the parties.

The easement granted hereby shall run with the land and shall enure to the benefit of the Grantee and its successors and assigns.

IN WITNESS WHEREOF, Grantor has caused these covenants to be executed and its seal to be affixed hereto on the day and year first above written.

GRANTOR

RRR Asset Management, LLC
(Name of Corporation Typewritten)

[Signature]
(Signature of Officer or Agent)

Robert R. Rowe III, Managing Member
(Print Name and Title of Officer or Agent)

WITNESSES:

[Signature]
(Sign)
Doreen Barton
(Sign)

Tina L. King
(Print Name)
Doreen Barton
(Print Name)

STATE OF Florida

COUNTY OF Leon

The foregoing instrument was acknowledged before me this 21st day of May 2004 by Ruben R. Rowe, III
(name of officer or agent, title of officer or agent)

of RRR Asset Management, LLC, a Florida corporation,
(name of corporation acknowledging) (state or place of incorporation)

on behalf of the corporation. He/she is personally known to me or has produced _____
(type of identification)
as identification.

Doreen Barton
(Signature of Notary)



Doreen A. Barton
MY COMMISSION # CC996962 EXPIRES
JANUARY 18, 2015
(Print, Type or Stamp Name of Notary)

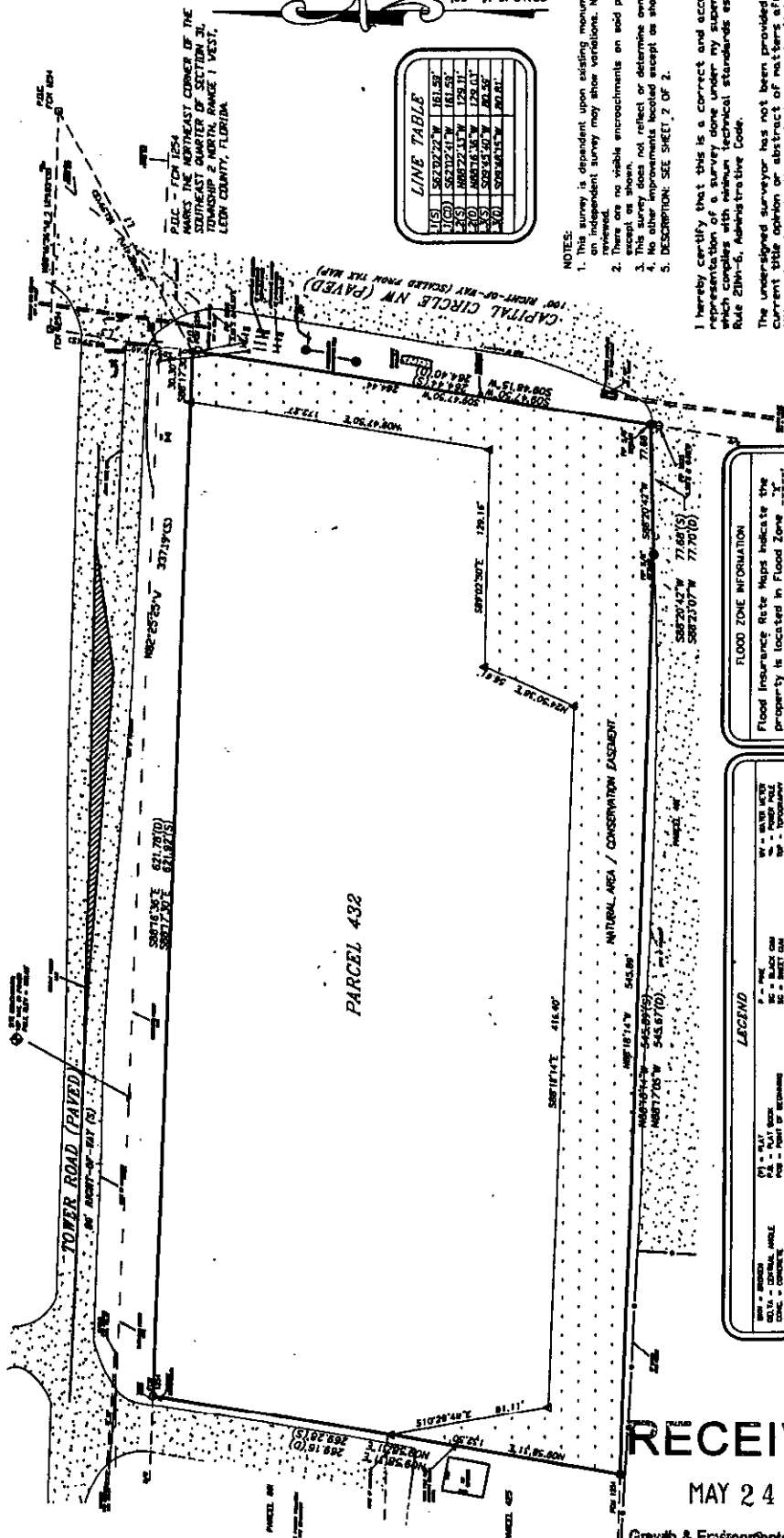
(Title or Rank)

(Serial Number, If Any)

**NATURAL AREA / CONSERVATION EASEMENT
LOCATED IN SECTION 31,
TOWNSHIP 2 NORTH, RANGE 1 WEST,
LEON COUNTY, FLORIDA.**

CERTIFIED TO:
SOUTHLAND CONTRACTING, INC.
BARKLEY ENGINEERING

CHARLIE C. PETERSON & ASSOCIATES INC.
1348 VICKERS DRIVE - TALLAHASSEE, FLORIDA 32303
PHONE: (850) 562-9333, FAX (850) 562-9576



LINE TABLE		
1(S)	56202'22"W	161.53'
1(CD)	56202'41"W	161.53'
2(S)	488722'11"W	129.11'
2(CD)	488716'36"W	129.11'
3(S)	50945'40"W	80.56'
3(CD)	50946'14"W	80.81'

NOTES:

1. This survey is dependent upon existing monumentation; an independent survey may show variations. No abstract reviewed.
2. There are no visible encroachments on road property except as shown.
3. This survey does not reflect or determine ownership.
4. No other improvements located except as shown.
5. DESCRIPTION: SEE SHEET 2 OF 2.

I hereby certify that this is a correct and accurate representation of a survey done under my supervision which complies with minimum technical standards established Rule 210N-6, Administrative Code.

The undersigned surveyor has not been provided a current title opinion or abstract of matters affecting title or boundary to the subject property. It is possible there are deeds of record, unrecorded deeds, assessments or other instruments which could affect the boundaries.

CHARLIE C. PETERSON, PLS
FLORIDA CERTIFICATE NO. 4792
NOT VALID UNLESS SIGNED IN INK
AND EMBOSSED WITH OFFICIAL SEAL

EXHIBIT "A"

FLOOD ZONE INFORMATION

LEGEND	
100% REINFORCED	100% REINFORCED
50% REINFORCED	50% REINFORCED
25% REINFORCED	25% REINFORCED
10% REINFORCED	10% REINFORCED
5% REINFORCED	5% REINFORCED
2% REINFORCED	2% REINFORCED
1% REINFORCED	1% REINFORCED
0% REINFORCED	0% REINFORCED
NO REINFORCEMENT	NO REINFORCEMENT
REINFORCEMENT TYPE	REINFORCEMENT TYPE
BAR	BAR
WIRE	WIRE
NET	NET
OTHER	OTHER
REINFORCEMENT LOCATION	REINFORCEMENT LOCATION
TOP	TOP
BOTTOM	BOTTOM
VERTICAL	VERTICAL
HORIZONTAL	HORIZONTAL
DIAGONAL	DIAGONAL
OTHER	OTHER
REINFORCEMENT SIZE	REINFORCEMENT SIZE
NO. 1	NO. 1
NO. 2	NO. 2
NO. 3	NO. 3
NO. 4	NO. 4
NO. 5	NO. 5
NO. 6	NO. 6
NO. 7	NO. 7
NO. 8	NO. 8
NO. 9	NO. 9
NO. 10	NO. 10
NO. 11	NO. 11
NO. 12	NO. 12
NO. 13	NO. 13
NO. 14	NO. 14
NO. 15	NO. 15
NO. 16	NO. 16
NO. 17	NO. 17
NO. 18	NO. 18
NO. 19	NO. 19
NO. 20	NO. 20
NO. 21	NO. 21
NO. 22	NO. 22
NO. 23	NO. 23
NO. 24	NO. 24
NO. 25	NO. 25
NO. 26	NO. 26
NO. 27	NO. 27
NO. 28	NO. 28
NO. 29	NO. 29
NO. 30	NO. 30
NO. 31	NO. 31
NO. 32	NO. 32
NO. 33	NO. 33
NO. 34	NO. 34
NO. 35	NO. 35
NO. 36	NO. 36
NO. 37	NO. 37
NO. 38	NO. 38
NO. 39	NO. 39
NO. 40	NO. 40
NO. 41	NO. 41
NO. 42	NO. 42
NO. 43	NO. 43
NO. 44	NO. 44
NO. 45	NO. 45
NO. 46	NO. 46
NO. 47	NO. 47
NO. 48	NO. 48
NO. 49	NO. 49
NO. 50	NO. 50
NO. 51	NO. 51
NO. 52	NO. 52
NO. 53	NO. 53
NO. 54	NO. 54
NO. 55	NO. 55
NO. 56	NO. 56
NO. 57	NO. 57
NO. 58	NO. 58
NO. 59	NO. 59
NO. 60	NO. 60
NO. 61	NO. 61
NO. 62	NO. 62
NO. 63	NO. 63
NO. 64	NO. 64
NO. 65	NO. 65
NO. 66	NO. 66
NO. 67	NO. 67
NO. 68	NO. 68
NO. 69	NO. 69
NO. 70	NO. 70
NO. 71	NO. 71
NO. 72	NO. 72
NO. 73	NO. 73
NO. 74	NO. 74
NO. 75	NO. 75
NO. 76	NO. 76
NO. 77	NO. 77
NO. 78	NO. 78
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NO. 80	NO. 80
NO. 81	NO. 81
NO. 82	NO. 82
NO. 83	NO. 83
NO. 84	NO. 84
NO. 85	NO. 85
NO. 86	NO. 86
NO. 87	NO. 87
NO. 88	NO. 88
NO. 89	NO. 89
NO. 90	NO. 90
NO. 91	NO. 91
NO. 92	NO. 92
NO. 93	NO. 93
NO. 94	NO. 94
NO. 95	NO. 95
NO. 96	NO. 96
NO. 97	NO. 97
NO. 98	NO. 98
NO. 99	NO. 99
NO. 100	NO. 100

CONTRACTOR JOB NO.	JOB NO.	SCALE:	SHEET NO.:
	02173	1" = 80'	1 OF 2

04-17-03	--	SKETCH	JND
05-13-03		SKETCH	JND
05-20-04		SKETCH	JND

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Growth & Environmental Management
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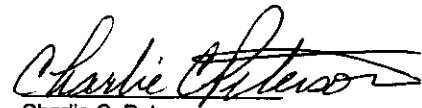
CHARLIE C. PETERSON & ASSOCIATES, INC.; LB # 6988
1348 VICKERS DRIVE - TALLAHASSEE, FLORIDA 3230
PHONE: (850) 562-9333 FAX: (850) 562-9576

EXHIBIT "A", SHEET 2 OF 2

DESCRIPTION (CONSERVATION EASEMENT)

Commence at a 4 inch by 4 inch concrete monument (1254 marking the Northeast Corner of the Southeast Quarter of Section 31, Township 2 North, Range 1 West, Leon County, Florida; thence run North 88 degrees 16 minutes 36 seconds West to a found 4 inch by 4 inch concrete monument (1254), a distance of 129.03 feet; thence run South 09 degrees 45 minutes 40 seconds West to a found 4 inch by 4 inch concrete monument (1254) marking the **POINT OF BEGINNING**, a distance of 80.59 feet;


Thence from said **POINT OF BEGINNING** run South 09 degrees 47 minutes 50 seconds West along the Westerly Right of Way Boundary of Capital Circle to a found 5/8 inch iron pin, a distance of 264.44 feet; thence run South 88 degrees 20 minutes 42 seconds West to a found 5/8 inch iron pin, a distance of 77.68 feet; thence run North 88 degrees 18 minutes 14 seconds West a distance of 545.89 feet; thence run North 09 degrees 58 minutes 31 seconds East a distance of 132.50 feet; thence run South 10 degrees 29 minutes 49 seconds East a distance of 91.11 feet; thence run South 88 degrees 18 minutes 14 seconds East a distance of 416.40 feet; thence run North 24 degrees 50 minutes 36 seconds East a distance of 56.61 feet; thence run South 89 degrees 02 minutes 50 seconds East a distance of 129.16 feet; thence run North 09 degrees 47 minutes 50 seconds East a distance of 172.27 feet; thence run South 88 degrees 17 minutes 30 seconds East back to the **POINT OF BEGINNING**, a distance of 30.30; Containing 0.95 Acres; more or less



Charlie C. Peterson
Florida Certificate No. 4792
May 20, 2004

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CONSERVATION EASEMENT MANAGEMENT & MAINTENANCE PLAN

Notice: This plan does not necessarily provide exemption from any other applicable local, state, or federal regulations.

A. The Following Activities Are Allowed Within All Portions of Conservation Easement Area:

1. Eradication of invasive and nuisance plant species through the application of herbicides or by physical removal of such plants. Herbicides must be applied in accordance with the manufacturer's labeling. As used herein, "invasive" species are those plants listed by the Florida Exotic Pest Plant Council's (EPPC) List of Invasive Species. "Nuisance" species are native plants not listed by the EPPC but are considered undesirable due to their competitive effects, such as grapevine, cattail, dog fennel, catbriar, etc. The Leon County Department of Growth and Environmental Management, or its successor, must be contacted prior to the eradication of nuisance plants to ensure the County agrees with designating the particular plant species as being a nuisance species.
2. Any other activities specifically authorized by an Environmental Management Permit issued by the Leon County Department of Growth and Environmental Management or its successor.

B. Special Activities Allowed:

The activities listed below shall be allowed within certain portions of the conservation easement.

1. Landscape materials, such as trees, shrubs, and groundcover species, can be planted as long as any plants installed are native species. Planting of invasive or nuisance species is prohibited. All plantings must be in compliance with Environmental Management Permit LEM 04-00056.
2. If necessary, an irrigation system can be installed, operated, and maintained in accordance with Environmental Management Permit LEM 04-00056.
3. Maintenance activities necessary to properly maintain and manage installed landscape materials, installed irrigation systems, and preserved vegetation can be conducted.
4. A stormwater culvert can be installed through the northeastern portion of the conservation easement area in accordance with Environmental Management Permit LEM 04-00056. The corridor width used to install and maintain this culvert shall not exceed 10 feet, as measured perpendicular to the axis of the culvert.
5. Maintenance activities necessary to properly maintain the installed stormwater culvert cited above can be conducted. Allowed maintenance activities include, but are not limited to, replacement of the culvert if necessary.

C. General Maintenance of the Conservation Easement Area:

The conservation easement area must be maintained in perpetuity such that the average percent cover accounted for by invasive plant species does not exceed 5 percent and the average percent cover accounted for by nuisance plant species does not exceed 10 percent. Immediately following a maintenance event, the average percent cover by invasive and nuisance plant species should be as close to 0 percent as possible.

The property owner shall be responsible for the eradication and control of invasive and nuisance plant species within the conservation easement area. As used herein, the term "property owner" shall refer to the person or persons shown as the property owner on the tax roll of the Leon County Property Appraiser.